

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

6 SEPTEMBER 2002

Refer to: P/N #91-3A-195 (extension)

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) a request has been submitted to the Department of the Army by

HORRY COUNTY SOLID WASTE AUTHORITY
POST OFFICE BOX 1664
CONWAY, SOUTH CAROLINA 29528-1664

To extend the time to complete the work authorized by the above-mentioned permit, which authorized the placement of fill in wetlands adjacent to

STERITT SWAMP

at a location in the Horry County Landfill east of Conway and south of County Road #90 in Horry County, South Carolina. Latitude 33.8166, Longitude 78.9611.

In order to give all interested parties an opportunity to express their views on this request,

NOTICE

Is hereby given that written statements regarding the proposed extension/permit reissuance will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 23 SEPTEMBER 2002

from those interested in the activity and whose interests may be affected by the proposed work.

The permittee is requesting that the time to complete the authorized work be extended until January 30, 2004. The permit was issued on August 3, 1992, and time to complete the work was later extended until September 30, 1997. Much of the authorized work to expand an existing landfill has been completed, and the mitigation plan that compensates for all unavoidable wetland impacts has been complied with. The permittee is requesting that they be allowed to fill the remaining 4.25 acres of wetlands that was authorized by the above-mentioned permit.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

6 SEPTEMBER 2002

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within fifteen (15) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 4.25 acres of fresh water wetlands and associated estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

REGULATORY DIVISION

6 SEPTEMBER 2002

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The decision whether to extend time to complete the work will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

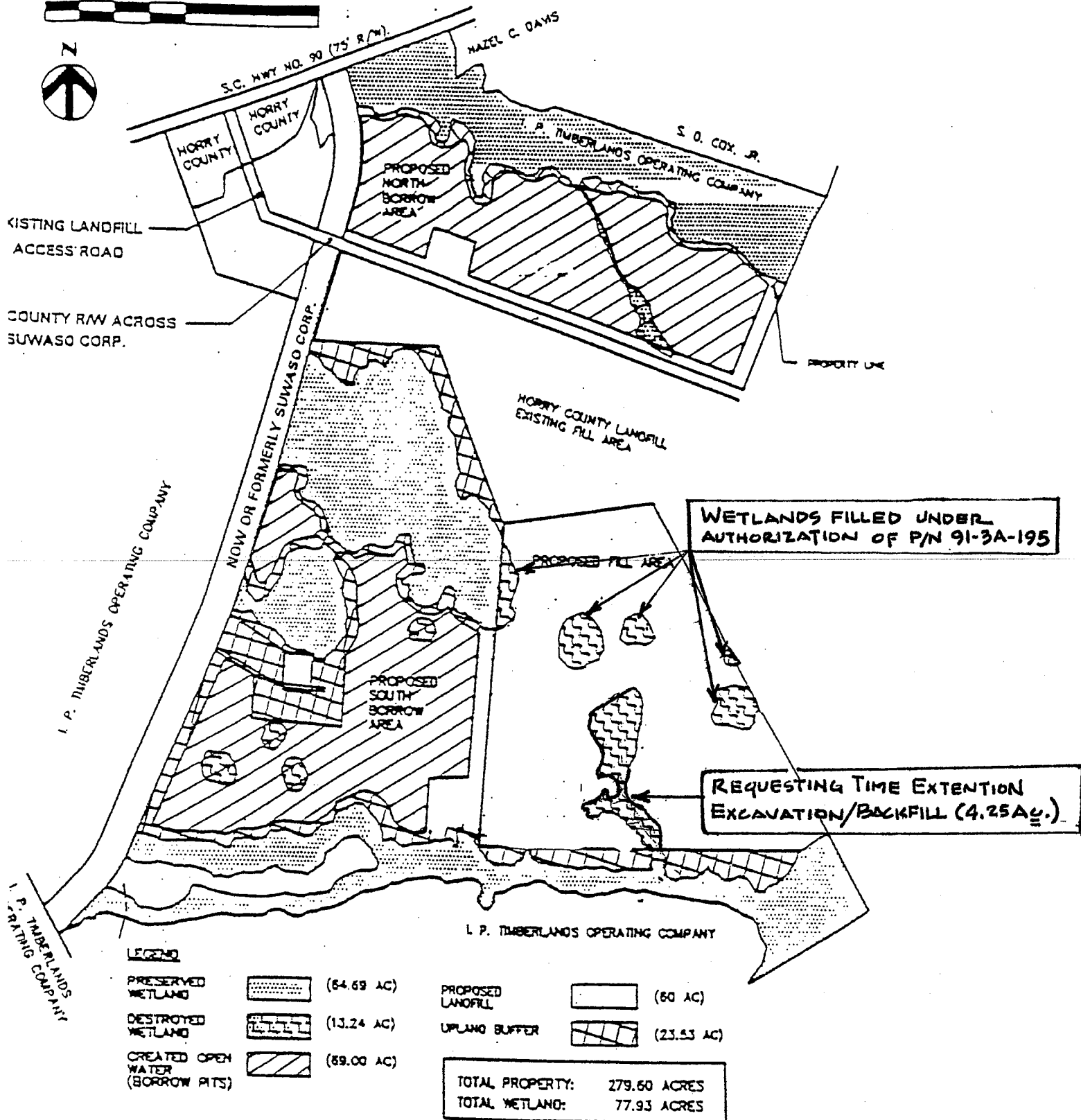
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Chris Dowling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

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PROPOSED ACTIVITY: EXPANSION OF HORRY COUNTY, SOUTH CAROLINA LANDFILL
 LOCATION: STERITT SWAMP/S.PRONG STERITT SWAMP/UN-NAMED TRIBUTARY /WETLANDS
 ADJACENT PROPERTY OWNERS:
 1. INTERNATIONAL PAPER
 2. SUWASO CORP.
 3.

FIGURE: 13 PROPOSED: TOTAL SITE IMPACTS
 SCALE: 1"=800'
 DATUM: N/A
 SHEET: 13 OF 13

REVISED AUG. 26, 2002
 DATE: 6-28-91

Project Narrative

**Horry County Solid Waste Authority (HCSWA)
Ongoing Landfill Expansion Project
Horry County, South Carolina
U.S. Army Corps of Engineers P/N 91-3A-195**

The Horry County Solid Waste Authority (HCSWA) operates a municipal landfill on SC Highway 90 near Conway, South Carolina. The landfill has been in operation since January 1965 and currently covers approximately 120-acres.

In February of 2002 HCSWA was issued approval by SC DHEC Department of Mining and Solid Waste to construct an additional 40 +/- acre Subtitle D cell. A portion of the footprint of the new cell is within a wetland area that was authorized to be impacted by U.S. Army Corps of Engineers P/N 91-3A-195.

A geotechnical examination of the site identified a deposit of peat that existed underneath the historical wetland area. SC DHEC Bureau of Mining and Solid Waste required this material be removed and replaced with suitable material prior to the construction of the new Subtitle D cell.

The Brigman Company, acting as agent for the HCSWA, is requesting permit 91-3A-195 be extended until the construction of the new Subtitle D cell can be completed. Please see attached drawing for the location of the new Subtitle D cell and the limits of the area affected by this construction. The HCSWA has fulfilled all mitigation conditional to the issuance of this permit. The preservation and buffering of on-site wetlands for the mitigation of all wetland impacts authorized by P/N 91-3A-195 are also shown on the attached drawing.